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Date: January 5, 2005

A Professional Corporation
Intellectual Property Attorneys

To: U.S. Patent and Trademark Office
Fax No: 703-872-9306

NBC Tower - Suite 3600
455 N. Cityfront Plaza Drive
Chicago, Illinois 60611-5599
Facsimile 312-321-4299
Telephone 312-321-4200

From: James P. Naughton
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Indianapolis, IN
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Client No: 9623/656

No. of Pages
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COVER MESSAGE:

This is regarding Application Serial No. 09/765,270. James S. McClellan is the Examiner and the Group Art No. is 3627.

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being sent via facsimile to 703-872-9306, as well as being deposited with the United States Postal Service, with sufficient postage, as Express Mail No. EV314905150US in an envelope addressed to: MS Amendment, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:
 Date: January 5, 2005 Name: James P. Naughton Signature: _____

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

William T. Gross

Serial No.: 09/765,270

Examiner: James S. McClellan

Filed: January 18, 2001

Group Art Unit No. 3627

For: SYSTEM AND METHOD FOR
RANKING ITEMSS

Mail Stop Amendment
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached are:

Transmittal Letter; Amendment and Response;
 Return Receipt Postcard

Fee calculation:

No additional fee is required.
 Small Entity.
 An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
 A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(____).
 An additional filing fee has been calculated as shown below:

| | Claims Remaining After Amendment | Minus | Highest No. Previously Paid For | Present Extra | Small Entity | | Not a Small Entity | |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|--------------------|------|
| | | | | | Rate | Add'l Fee | or | Rate |
| Total | | Minus | | | x \$25= | | x \$50= | |
| Indep. | | Minus | | | x 100= | | x \$200= | |
| First Presentation of Multiple Dep. Claim | | | | | +\$180= | | +\$360= | |
| | | | | | Total | \$ | Total | \$ |

Fee payment:

A check in the amount of \$ _____ to cover the above-identified fee(s) is enclosed.
 Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.
 Payment by credit card in the amount of \$ _____. (Form PTO-2038 is attached).
 The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

January 5, 2005

Date

James P. Naughton (Reg. No. 30,665)

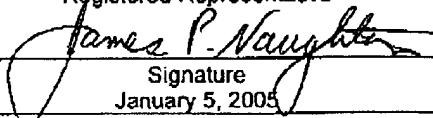
I hereby certify that this correspondence is being sent via facsimile to 703-872-9306, as well as being deposited with the United States Postal Service, with sufficient postage, as Express Mail No. EV314905150US in an envelope addressed to:

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
on January 5, 2005

Date of Deposit

James P. Naughton

Name of applicant, assignee or
Registered Representative


Signature
January 5, 2005

Date of Signature

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Our Case No. 9623/656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|---|---|------------------------------|
| In re Application of: |) | |
| William T. Gross |) | |
| Serial No.: 09/765,270 |) | Examiner: James S. McClellan |
| Filing Date: January 18, 2001 |) | Group Art Unit No.: 3627 |
| For: SYSTEM AND METHOD FOR RANKING ITEMS |) | |

AMENDMENT AND RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This paper is timely filed on January 5, 2005 in response to the non-final October 7, 2004 Office Action. Applicant requests reconsideration of this application in view of the following amendments and remarks.